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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,604	10/23/2001	Kevin J. Dowling	PH010702US1 (70087)	3464
78823	7590	08/20/2009		
Philips Intellectual Property and Standards			EXAMINER	
P.O. Box 3001			A. MINHD	
Briarcliff Manor, NY 10510-8001				
			ART UNIT	PAPER NUMBER
			2821	
			MAIL DATE	DELIVERY MODE
			08/20/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10045604	10/23/01	DOWLING ET AL.	PH010702US1 (70087)

Philips Intellectual Property and Standards
P.O. Box 3001
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EXAMINER

MINH D. A

ART UNIT	PAPER
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2821 20090817

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Commissioner for Patents

This is a responsive to the Applicant's communication submitted on 12/17/08. Claims 335-341 are currently presented in the instant application.

1. Applicant has suggested an interference pursuant to 37 CFR 41.202(a) in a communication filed 10/16/06.

With regards to 37 CFR 41.202(a)(2), applicant failed to (2) propose more than one count. A count is defined as just a description of the interfering subject matter. The proposed count (claim 337) does not describe subject matter that interferes with claims 335 and 336. Claim 335 is directed to "a method of extending the feel of a display screen to a housing" whereas claim 337 is directed to "a method for illuminating a housing."

MPEP 2304.02(b) states: The examiner need not agree with the applicant's suggestion. The examiner's role is to confirm that there are otherwise patentable interfering claims and that the formalities of 37 CFR 41.202 are met. Here, the examiner confirms that claims 337-341 are patentable interfering claims with claims 3-7 of patent 7,113,196. Applicant has proposed claim 337 as the count and as a result claims 335 and 336 are not interfering claims.

Applicant's argument that the "mapping" step of claim 337 corresponds essentially to the "associating" step of claim 335 and that the "sampling" step of claim 337 corresponds essentially to the determining step of claim 335 is not persuasive. Further, no showing has been presented to equate these terms.

With regards to 37 CFR 41.202(a)(2), applicant failed to (3) show how claims 335, 336 and claims 338-341 correspond to one or more counts. No showing is presented for any of these claims. By default, claim 337 corresponds to the count because it is identical to the count.

MPEP 2304.02(b) states: The examiner need not agree with the applicant's suggestion. The examiner's role is to confirm that there are otherwise patentable interfering claims and that the formalities of 37 CFR 41.202 are met. Here, the examiner confirms claim 337 is shown to correspond to the count. Claims 335, 336 and 338-341 do not correspond to the count.

Time Period for Reply

Applicant is given ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this communication to correct the deficiency(ies). THE PROVISIONS OF 37 CFR 1.136 DO NOT APPLY TO THE TIME SPECIFIED IN THIS ACTION.

/Douglas W Owens/
Supervisory Patent Examiner, Art Unit 2821